



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
2511 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3926

IMAH-EEO

JUN 27 2006

MEMORANDUM FOR All US Army Installation Management Agency Personnel

SUBJECT: US Army Installation Management Agency Policy Memorandum #49,
Policy Against Retaliation for Engaging in Protected Equal Employment Opportunity
(EEO) Activity

1 REFERENCES.

- a. Memorandum, OASA (M&RA), 10 November 2004, subject: Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity (Encl).
- b. Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act)

2. PURPOSE. To provide guidance and procedures to comply with Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Equal Pay Act and the Rehabilitation Act.

3. APPLICABILITY. This policy applies to all personnel assigned to or under the operational control of IMA in addition to applicants for employments with IMA and former employees of IMA. This policy statement supersedes IMA policy memorandum, 14 February 2006.

4. POLICY.

a. The Equal Employment Opportunity Commission (EEOC) has issued several findings of discrimination against the Department of the Army relative to discrimination based on reprisal or retaliation against individuals who participated in protected EEO activities. The EEOC's rules and regulations clearly state that no person will be subjected to retaliation for participating in any stage of the administrative or judicial proceeding under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Equal Pay Act or the Rehabilitation Act .

b. Supervisors and managers may not fire, demote, harass or otherwise "retaliate" against an employee for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. Supervisors must continue to manage and can not be affected by the protected activities of their employees. The

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legal right to protest against discrimination or to participate in the administrative complaint process as complainants, counselors or witnesses is mandated by applicable laws and regulations. It is imperative that supervisors ensure that their actions are not improperly motivated.

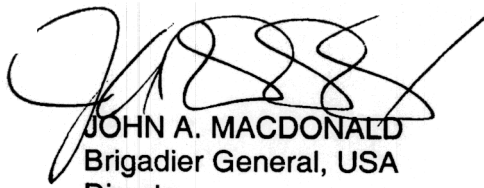
c. Compliance with anti-discrimination statutes permits individuals to freely question suspected discriminatory behavior. Retaliation against those who seek relief from discrimination, if permitted to go unaddressed, would diminish the willingness of employees to speak out or participate in proceedings established to eliminate the unlawful conduct.

d. Voluntary compliance with and effective enforcement ensures that we provide a workplace that does not discourage employees from exercising their rights. Your EEO, legal and civilian personnel/HR advisors are valuable assets who can provide assistance in this area. We must view our commitment to equal employment opportunity as a matter of personal integrity and accountability.

5. PROCEDURES. N/A

6. PROPONENT. The HQ IMA Equal Employment Opportunity Office is the proponent for this policy. POC is Chief, EEO, commercial (703) 602-4308, and DSN 332-4308.

Encl
as



JOHN A. MACDONALD
Brigadier General, USA
Director